THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.19951 of 2007

Between:

M/s.Amrutha Estates.

.. PETITIONER

and

The Joint Collector and others.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.19951 of 2007

ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Revenue appearing for the respondents.

It is the case of the petitioner that against the order of the 3rd respondent in proceedings No.B/45/2007, dated 30-06-2007, in resuming the lands in question from the possession of the petitioner by evicting it under the provisions of Section 4 of A.P.Assigned Lands (Prohibition and Transfers) Act, 1977, (for short "the Act") on the ground that the petitioner was found in possession of the lands in question in contravention of Section 3 of the Act, the petitioner filed an Appeal No.E/1686/2007, under Section 4-A of the Act before the 2nd respondent along with stay application. It is stated that pending disposal of the appeal and the stay application, the respondents are taking steps to dispossess the petitioner from the lands in question.

As the appeal is pending, without expressing any opinion on the merits of the case, I am of the opinion that it is just and proper to direct the 2nd respondent to consider and dispose of Appeal No.E/1686/2007.

Accordingly, the writ petition is disposed of directing the 2nd respondent to consider and dispose of Appeal No.E/1686/2007, after giving reasonable opportunity to the petitioner, as expeditiously as possible, in accordance with law. Pending disposal of the appeal, the petitioner shall not be dispossessed from the lands in question. There shall be no order as to costs.

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20-09-2007

Prv